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7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 UNIVERSITY OF PITTSBURGH OF  
THE COMMONWEALTH SYSTEM OF  
13 HIGHER EDUCATION d/b/a  
14 UNIVERSITY OF PITTSBURGH,  
a Pennsylvania non-profit corporation  
15 (educational),

16 Plaintiff,

17 v.

18 VARIAN MEDICAL SYSTEMS, INC.,  
19 a Delaware corporation,

20 Defendant.  
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Case No. CV-08-2973-MMC

**PROOF OF SERVICE**

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I am a resident of the State of California and over the age of eighteen years and not a party to the within-entitled action; my business address is 3000 El Camino Real, Suite 700, Palo Alto, California 94306.

On August 15, 2008, I served the within document(s):

**EXHIBIT 2 TO THE UNIVERSITY OF PITTSBURGH'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS OPPOSITION TO VARIAN MEDICAL SYSTEM INC.'S MOTION TO DISMISS UNDER FED. R. CIV. P. 12(B)(6) [DOCUMENT SUBMITTED UNDER SEAL]**



I arranged for the document listed above to be personally delivered to the person(s) at the address(es) set forth below (through **Western Messenger**, professional messenger service).

ATTORNEY	ATTORNEY FOR:	SERVED VIA
Matthew H. Poppe Orrick, Herrington & Sutcliffe LLP 1000 Marsh Road Menlo Park, CA 94025	Defendant Varian Medical Systems, Inc.	Hand Delivery

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on August 15, 2008, at Palo Alto, California.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

  
Nancy A. Nelson